

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-2738/PI-58
on its own motion, seeking to)
investigate telecommunications) MOTION GRANTED IN PART
companies' terms, conditions and)
rates for the provision of)
wireless termination service.) Entered: April 29, 2003

BY THE COMMISSION:

On June 5, 2002, the Commission opened this docket to investigate the terms, conditions and rates in wireless termination tariffs filed by Great Plains Communications, Inc. and the Nebraska Independent Telephone Association (NITA) on behalf of 18 NITA member companies in Application Nos. C-2726 and C-2728, respectively. The proposed tariffs filed by these companies (Applicants) provide for terms, conditions and rates for termination in applicants' exchanges of traffic originating from Commercial Mobile Radio Service (CMRS) providers' end-users and transiting through a third party tandem provider.

On January 22, 2003, the Commission found that the proposed tariffs were not fair, just and reasonable when applied to intrastate IntraMTA traffic. As such, the Commission directed the applicants and the CMRS providers to commence formal joint negotiations within 60 days from the date of this order to address the appropriate compensation arrangements.

However, on March 21, 2003, the NITA filed a Motion for Time Enlargement and Clarification with the Commission in regards to the Commission's January 22, 2003, order. Said motion requested a 30-day extension of time to commence negotiations and requested clarification from the Commission regarding the procedures that the Commission intended to apply to the joint negotiations and the options available to Rural incumbent local exchange carriers (ILECs) that choose not to initiate negotiations within the timeframe set forth by the Commission. On March 25, 2003, the Commission granted the initial 30-day extension.

On April 21, 2003, the NITA filed a second request for an extension of time until 60 days after the Commission entered an order on the questions posed by the NITA and docketed by the Commission in Application No. C-2920/PI-72.

O P I N I O N A N D F I N D I N G S

In consideration of the motion, and in light of no objections filed by the CMRS providers, the Commission is of the opinion and finds that it should be granted in part. At this time, the Commission stays the deadline for parties to commence negotiations. A new deadline for commencing negotiations will be established when the Commission concludes the investigation in Application No. C-2920/PI-72.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the motion for an extension to commence negotiations is hereby granted in part.

IT IS FURTHER ORDERED that the Commission will establish a new deadline for commencing negotiations when the Commission concludes the investigation in Application No. C-2920/PI-72.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of April, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director